

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**DAVIS T. MONTFORT,**  
**Plaintiff,**

**vs.**

**SOUTHLAND CORPORATION,**  
**Defendant.**

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**CIVIL ACTION NO. 6:04cv486**

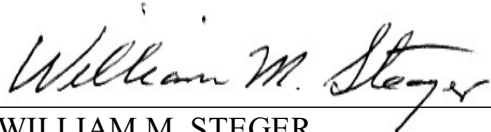
**ORDER**

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. §636. The Report of the Magistrate Judge which contains his proposed findings of fact and recommendations for the disposition of such action has been presented for consideration. (Doc. 12). No objections to the Report and Recommendation were filed. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court.

Accordingly, it is

ORDERED that Plaintiff's action is DISMISSED for failure to prosecute.

**SIGNED this 29th day of March, 2006.**



WILLIAM M. STEGER  
UNITED STATES DISTRICT JUDGE